

SLR:LDM:CSK

F.#2007R00229/OCDETF #NY-NYE-0534

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

NIKOLAI DOZORTSEV,

Defendant.

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FINAL
ORDER OF FORFEITURE AS
TO ONE 2.19 KARAT DIAMOND

07 CR 736 (S-3) (FB)

WHEREAS, on or about November 12, 2008, the defendant, NIKOLAI DOZORTSEV, pleaded guilty to counts seventeen and eighteen of the above-captioned superseding Indictment charging violations of 18 U.S.C. § 1956(h) and 1347;

WHEREAS, on or about November 20, 2008, this Court entered a Preliminary Order of Forfeiture, pursuant to 18 U.S.C. §§ 982(a)(1), 981(a)(1)(C), 21 U.S.C. § 853(p) and 28 U.S.C. § 2461, upon the consent of the defendant and the United States, providing for the forfeiture of all his right, title and interest in multiple assets, including: (a) one 2.19 karat diamond seized from the residence of Nikolai Dozortsev (the "Diamond");

WHEREAS, in accordance with Fed. R. Crim. P. 32.2(b)(3) legal notice of the Preliminary Order of Forfeiture was published on an official government website, www.forfeiture.gov for at least thirty (30) consecutive days beginning on January 22, 2009 and ending February 20, 2009;

WHEREAS, on or about November 30, 2011, by and through counsel, a claim to the Diamond was filed by a third Party Petitioner;

WHEREAS, on or about January 6, 2012 and August 9, 2013, the government responded to the Third Party Petition and moved to dismiss and/or strike the Third Party Petition on the grounds, inter alia, that it failed to comply with the requirements of 21 U.S.C. § 853(n)(3);

WHEREAS, on October 17, 2013, counsel for Third Party Petitioner and the government appeared before the Court for a hearing and counsel for Third Party Petitioner moved to withdraw the Petition;

WHEREAS, on October 17, 2013 the Court entered an order directing Third Party Petitioner to notify the Court within thirty (30) days of any intention to pursue her claim or obtain new counsel;

WHEREAS, the Court takes notice that no notification or Notice of Appearance by or on behalf of the Petitioner has been filed with the Court and the time to do so under 21 U.S.C. § 853(n)(2) and based upon all prior proceedings before the Court has expired; and

WHEREAS, the Court takes further notice that the government's motion to dismiss and/or strike is and remains unopposed.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED, as follows:

1. Pursuant to Fed. R. Crim. P. 32.2(c)(1)(A) and (c)(2), the Preliminary Order Order of Forfeiture previously entered by this Court is hereby made a Final Order of Forfeiture for the Diamond.
2. All right, title and interest in the Diamond is hereby forfeited to the United States, pursuant to 18 U.S.C. §§ 982(a)(1), 981(a)(1)(C), 21 U.S.C. § 853(p) and 28 U.S.C. § 2461.
3. The United States Marshals Service and its duly authorized agents and contractors, be and the same hereby are directed to dispose of the Diamond in accordance with all applicable laws and rules.

4 The Court shall retain jurisdiction over this action.

5. The Clerk of the Court is directed to send, by inter-office mail, three (3) certified copies of this executed Order to United States Attorney's Office, Eastern District of New York, 271 Cadman Plaza East, Brooklyn, New York 11201 Att: Claire S. Kedeshian, Assistant U.S. Attorney.

Dated: Brooklyn, New York
December __, 2013

HONORABLE FREDERIC BLOCK
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF NEW YORK